

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BARRY BONETSKY,

Plaintiff,

v.

STATE CORRECTIONAL INSTITUTE -
FOREST, et al.

Defendants.

Civil Action No. 07-281 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on October 16, 2007 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 68], filed on February 9, 2011, recommended that the motion to dismiss filed by Defendant Maxa [ECF No. 44] be granted; that the motion to dismiss filed by Defendant Skunda [ECF No. 49] be granted; and that the motion to dismiss filed by Defendant Rathmore [ECF No. 60] be granted. The parties were allowed fourteen (14) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendants. No objections were filed. After de novo review of the motions and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 1st day of March, 2011;

IT IS HEREBY ORDERED that the motion to dismiss filed by Defendant Maxa [ECF No. 44] is GRANTED; that the motion to dismiss filed by Defendant Skunda [ECF No. 49] is GRANTED; and that the motion to dismiss filed by Defendant Rathmore [ECF No. 60] is GRANTED.

The Report and Recommendation [ECF No. 68] of Magistrate Judge Baxter, filed on February 9, 2011, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge